

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:01-CR-31-MOC-5**

**UNITED STATES OF AMERICA,**

**vs.**

**MARCUS RAEFORD WORTHY,**

Defendant.

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**ORDER**

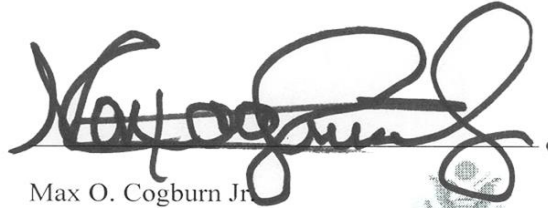
**THIS MATTER** comes before the Court on Defendant’s pro se Motion for Compassionate Release/Reduction of Sentence under 18 U.S.C. § 3582. (Doc. No. 722). Defendant, an inmate at Ashland FCI in Ashland, Kentucky, seeks a reduction of his sentence based on the COVID-19 pandemic. In support, he maintains that he suffers from medical conditions that have made him susceptible to contracting the virus, including high blood pressure and tuberculosis. Id.

Title 18, Section 3582(c)(1)(A)(i) authorizes criminal defendants to request compassionate release from imprisonment based on “extraordinary and compelling reasons.” Defendant’s release is not appropriate because he cannot establish “extraordinary and compelling reasons [to] warrant such a reduction” under Section 3582(C)(1)(A)(i). The BOP denied Defendant’s request, finding that he was ineligible for early release based on his medium-risk recidivism level in the pattern system and his “violence history.” The BOP is in a better position than the district courts to determine whether an individual defendant’s circumstances and the prison environment warrant relief due to coronavirus concerns, and the BOP’s justifications for denying Defendant’s request are reasonable. Furthermore, Defendant has not submitted any medical records to substantiate the medical conditions from which he suffers. For these reasons, the motion is denied.

**ORDER**

**IT IS, THEREFORE, ORDERED** that Defendant's Letter Motion for Compassionate Release/Reduction of Sentence under 18 U.S.C. § 3582, (Doc. No. 722), is **DENIED**.

Signed: May 28, 2020



Max O. Cogburn Jr.  
United States District Judge